

**BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP**

TELEPHONE: (714) 557-3800

INTELLECTUAL PROPERTY LAW  
3200 PARK CENTER DRIVE, SUITE 750  
COSTA MESA, CA 92626

FACSIMILE: (714) 557-3347

**FACSIMILE COVER SHEET**

Deliver to: Duc Chi Ho, USPTO Art Group: 2665  
 Facsimile No.: 703 872-9314 Date: April 2, 2003  
 From: James Henry, Reg. No. 41,064  
 Our Docket No.: 81862P125 Number of pages 21 including this sheet.  
 Application No.: 09/322,708 Filing Date: 5/28/1999  
 Docket Due Date(s): \_\_\_\_\_

Enclosed are the following documents:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Amendment: <u>Supplemental</u>  | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief (in triplicate) ( _____ pgs)  | <input type="checkbox"/> Notice of Appeal   |
| <input type="checkbox"/> Application: _____                         | <input type="checkbox"/> Petition for: _____                                      |
| ( _____ pgs) w/cover & abstract)                                    | <input type="checkbox"/> Request for Continued Examination (RCE)                  |
| <input type="checkbox"/> Assignment & Cover Sheet ( _____ pgs)      | <input type="checkbox"/> Reply Brief ( _____ pgs)                                 |
| <input checked="" type="checkbox"/> Certificate of <u>Facsimile</u> | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Continued Prosecution Application (CPA)    | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Declaration & POA ( _____ pgs)             | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Drawings: _____ sheets, _____ figures      | <input type="checkbox"/> Response to Written Opinion ( _____ pgs)                 |
| <input type="checkbox"/> Extension of Time: _____                   | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate)  | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
| <input type="checkbox"/> IDS & PTO/SB/08 ( _____ pgs)               | <input checked="" type="checkbox"/> Transmittal Letter                            |
| <input type="checkbox"/> Other _____                                |   |

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on 4/2/2003.

Pat Sullivan 04/2/2003  
 Pat Sullivan Date

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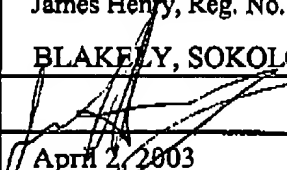
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	09/322,708
		Filing Date	May 28, 1999
		First Named Inventor	Kirk D. Sanders
		Group Art Unit	2665
		Examiner Name	Duc Chi Ho
Total Number of Pages in This Submission	21	Attorney Docket Number	81862P125

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 10px; text-align: center; margin-top: 20px;"> <b>RECEIVED</b> </div>
Remarks		

APR 21 2003

Technology Center 2600

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	James Henry, Reg. No. 41,064 <b>BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN LLP</b>
Signature	
Date	April 2, 2003

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile under 37 CFR §1.8 on:			
			April 2, 2003
Typed or printed name	Pat Sullivan		
Signature		Date	April 2, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$) 0.00**Complete if Known**

Application Number	09/322,708
Filing Date	May 28, 1999
First Named Inventor	Kirk D. Sanders
Examiner Name	Duc Chi Ho
Group/Art Unit	2665
Attorney Docket No.	81862P125

**METHOD OF PAYMENT (check one)**

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor &amp; Zafman LLP

The Commissioner is authorized to (check all that apply)

- ☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					( \$ )

**2. EXTRA CLAIM FEES**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims	37	37*	0	X	16.00	=	\$0.00
Multiple Dependent Claims	8	8*	0	X	84.00	=	\$0.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple Dependent claim, if not paid	
1204	84	2204	42	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					( \$ ) 0.00

\*or number previously paid, if greater, For Reissuance, see below

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2063	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of BIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of BIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	830	2253	405	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1404	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1480	130	2480	130	Petitions to the Commissioner	
1907	50	1907	50	Processing fee under 37 CFR 1.17(q)	
1908	180	1908	180	Submission of Information Disclosure Stmt.	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** ( \$ )**SUBMITTED BY**

Name (Print/Type) **James Henry**  
 Signature *[Signature]*

Registration No.  
(Attorney/Agent)

41,064

Telephone

(714) 557-3800

Date

04/02/03

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Official

Our Docket No.: 81862P125

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sanders et al.

Examiner: Duc Chi Ho

Application No.: 09/322,708

Art Group: 2665

Filed: May 28, 1999

For: BACKGROUND TEST SYSTEM  
FOR TIME DIVISION  
MULTIPLEXING SWITCHING  
SYSTEMS

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APR 21 2003

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## SUPPLEMENTAL AMENDMENT

Commissioner for Patents  
Washington, DC 20231-9999

Sir:

*This Amendment is submitted in the revised format permitted under the  
waiver of 37 CFR § 1.121 signed on January 31, 2003.*

81862P125  
LJV/JAH/phs

-1-

In re Sanders et al.  
09/322,708